

REMARKS

Applicants appreciatively note the entry of their submission filed on 03/11/03. Claims 1-12 and 14 are cancelled, without prejudice. Claims 15-50 are newly added, and find support throughout the original disclosure, in particular in the specification at pages 33 and 35.

The Office's rejection of claims 1-12 and 14 is rendered moot by their cancellation without prejudice. Applicants, however, address these rejections as if they were applied to the currently pending claims. Additionally, Applicants specifically withdraw all statements, arguments, and positions previously placed before the Office in this application. Applicants do not wish to be bound by any of such statements, arguments, and positions previously placed before the Office in this application.

Rejections Under 35 USC § 112

Claims 1-12 and 14 have been rejected under 35 USC § 112, paragraphs 1 and 2. Applicants traverse these rejections on the basis that these claims have been cancelled without prejudice rendering moot their rejections. For these reasons, Applicants request the withdrawal of the rejections under 35 USC § 112.

Rejections Under 35 USC §§ 102(e) and (b)

Claims 1-5 and 14 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 5,912,268 to Guittard et al. ("Guittard"). Claims 1-6 and 14 also stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,399,359 to Baichwal ("Baichwal") and/or U.S. Patent No. 5,532,278 to Aberg et al. ("Aberg"). Applicant traverse these rejections as they might be applied to newly added claims 15-50, since none of these references disclose or suggest the claimed subject matter.

Rejections Under 35 USC § 103(a)

Claims 1-12 and 14 have been rejected under 35 U.S.C. § 103(a) as obvious over Guittard in view of Aberg. Applicant traverse this rejection as it might be applied to newly added claims 15-50. As noted above, neither Guittard nor Aberg disclose the claimed inventions. Moreover, their combination does not serve to teach or suggest all of the recited claim elements. To render a claim obvious, the cited combination of references must teach or suggest every element of the claim. MPEP § 2143. Accordingly, the Office has not established a prima facie case of obviousness. For these reasons, Applicants request that the combination of Guittard in view of Aberg not be applied against newly added claims 15-50.

Closing Comments

Applicants submit that the present application is in condition for allowance. Prompt reconsideration and allowance of claims 15-50 is respectfully requested.

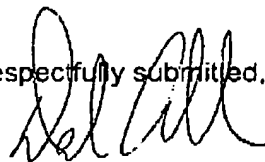
The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 10-0750.

Please direct any questions to the undersigned attorney at (650) 564-2498.

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